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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,138	12/01/2003	Jong-nam Park	1793.1089	1205

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER	
HALEY, JOSEPH R	

ART UNIT	PAPER NUMBER
2627	

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/724,138	PARK, JONG-NAM	
	Examiner	Art Unit	
	Joseph Haley	2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 December 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The Korean Office Action submitted 8/30/05 has been considered; however, it has been lined through as to not be printed on the front of the patent.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the inspection of the quality of the RF signal must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2 and 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art in view of Tomita (US 6577566).

In regard to claim 1, the applicant's admitted prior art teaches a method of automatically pausing an optical pickup in a DVD-RAM disc drive, the method comprising: driving a DVD-RAM disc; generating a jump signal in response to a state of the land/groove signal varying; and moving the optical pickup back by 1/2 of a track in response to the jump signal (see paragraph 8 lines 1-5) but does not teach determining whether a tracking error signal is generated; generating a land/groove signal to discern land tracks and groove tracks; determining from which track the tracking error signal has been generated in response to the determination that the tracking error signal has been generated.

Tomita teaches determining whether a tracking error signal is generated (fig. 13B); generating a land/groove signal to discern land tracks and groove tracks; determining from which track the tracking error signal has been generated in response to the determination that the tracking error signal has been generated (see fig. 13C).

The two are analogous art because they both deal with the same field of invention of switching from land to groove tracks.

At the time of invention it would have been obvious to one of ordinary skill in the art to provide the method of the applicant's admitted prior art with the tracking and land/groove signals of Tomita. The rationale is as follows: At the time of invention it would have been obvious to provide the method of the applicant's admitted prior art with the tracking and land/groove signals of Tomita because using the polarity of a tracking error signal will accurately tell if the laser is on a land or a groove.

In regard to claim 2, Tomita teaches wherein the land/groove signal is at a first state when the optical pickup is positioned over the land tracks, the land/groove signal is at a second state when the optical pickup is positioned over the groove tracks, the land/groove signal transits from the first state to the second state or from the second state to the first state, and the optical pickup is positioned over either the land tracks or the groove tracks depending on the state of the land/groove signal (see figs 13 a and c see also column 24 lines 25-40).

In regard to claim 5, Tomita teaches a microcomputer of the DVD-RAM disc drive receives the land/groove signal and determines from which track the tracking error signal has been generated (see fig. 13).

In regard to claims 6 and 7, Tomita teaches wherein the first state is a high level and the second state is a low level and wherein the first state is a low level and the second state is a high level (see fig. 13C. In regard to the level of the signal, it makes no patentable difference whether the first or second state is high or low, as long as they are

different and can be distinguished).

In regard to claim 8, see claim 1 rejection above.

In regard to claim 9, see claim 5 rejection above.

In regard to claim 10, the applicant's admitted prior art teaches

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art in view of Tomita further considered with Takahashi et al. (US 2002/0054974).

In regard to claims 3 and 4, the applicant's admitted prior art and Tomita teach all the elements of claims 3 and 4 except inspecting a quality of an RF of data recorded in the land tracks in response to data being recorded only in the land tracks; and inspecting a quality of an RF of data recorded in the groove tracks in response to data being recorded only in the groove tracks.

Takahashi et al. teaches inspecting a quality of an RF of data recorded in the land tracks in response to data being recorded only in the land tracks; and inspecting a quality of an RF of data recorded in the groove tracks in response to data being recorded only in the groove tracks (see paragraph 100. Takahashi et al. teaches adjusting the phase separately for the land and groove to improve SNR).

The three are analogous art because they all deal with the same field of invention of recording in optical media.

At the time of invention it would have been obvious to one of ordinary skill in the art to provide the method of the applicant's admitted prior art with the tracking and land/groove signals of Tomita and the separate phase corrections of Takahashi et al.

The rationale is as follows: At the time of invention it would have been obvious to provide the method of the applicant's admitted prior art with the tracking and land/groove signals of Tomita and the separate phase corrections of Takahashi et al. because treating the land and grooves separately improves the quality of the signal.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art in view of Tomita further considered with Yamamuro (US 5793722).

In regard to claim 10, the applicant's admitted prior art and Tomita teach all the elements of claim 10 except wherein the optical pickup is automatically paused in response to the land/groove signal.

Yamamuro teaches wherein the optical pickup is automatically paused in response to the land/groove signal (see abst. where Yamamuro teaches stopping a tracking operation while jumping from a land to a groove. See also fig. 16.)

The three are analogous art because they all deal with the same field of invention of switching from land to groove tracks.

At the time of invention it would have been obvious to one of ordinary skill in the art to provide the method of the applicant's admitted prior art with the tracking and land/groove signals of Tomita and the track switching operation of Yamamuro. The rationale is as follows: At the time of invention it would have been obvious to provide the method of the applicant's admitted prior art with the tracking and land/groove signals of Tomita and the track switching operation of Yamamuro because there would be greater accuracy in switching tracks if the optical pickup was stopped.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Haley whose telephone number is 571-272-0574. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jrh

WILLIAM KORZUCH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600